



Ministry of  
**JUSTICE**

# **Quarterly Tribunals Statistics**

1 April to 30 June 2012

27 September 2012

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## Key Findings

### All Tribunals Combined

The statistics for the quarter 1 April to 30 June 2012 include details for new Tribunals which joined HMCTS since July 2012<sup>1</sup>. In this report, changes compared with earlier periods are made excluding figures for new Tribunals, so that comparisons are on a like-for-like basis.

- Between April and June 2012 (quarter 1), there were 187,700 receipts or claims. Excluding receipts for those Tribunals that joined HMCTS in 2011-12, this represents a 3% rise over the same quarter of the previous year. If multiple claims to Employment Tribunals (which can vary substantially) are also excluded, the number of cases received in the first quarter of 2012-13 was 7% more than at the same point in the previous year.
- There were 166,700 disposals in April to June 2012. Excluding details for the new tribunals, this was a decrease of 8% on the same quarter of 2011-12 and reverses the past upward trend.
- For all tribunals combined, the caseload outstanding at 30 June 2012 was 775,600 – 3% higher than the 756,100 figure recorded at 31 March 2012. The caseload outstanding has risen for all of the largest Tribunals: by 16% for Immigration and Asylum; by 3% for Social Security and Child Support and by 2% for Employment Tribunals (ET) multiple claims. It fell by 3% for single ET claims.

### Social Security and Child Support

Social Security and Child Support (SSCS) appeals jurisdiction, part of the First Tier Tribunal arranges and carries out independent hearings for appeals on decisions made by the Department for Work and Pensions (including Jobcentre Plus, Child Maintenance Group and Disability and Carers Service), as well as other government departments (HM Revenue and Customs) and local authorities.

- For SSCS, there were 102,300 receipts between April and June 2012 – representing 55% of cases received by all Tribunals. When compared with the same quarter for the previous year, the number of receipts went up by 14% and this was mainly as a result of the increased number of Employment and Support Allowance appeals (a 40% increase).

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<sup>1</sup> Details of these and of other Tribunals that have joined HMCTS since 2006-07 are in the Data Quality and Sources section of this report.

- There were 102,000 disposals made by SSCS, 5% fewer than those in the April to June quarter of 2011.
- Between April and June 2011, and the same period of 2012, the number of ESA disposals rose by 2%, to 52,300. Correspondingly, the number of Incapacity Benefit (IB) disposals fell by 93% or 8,000 over the same period to reach 620. The fall in disposals of IB claims reflects the fact that no new claims to Incapacity Benefit have been accepted since February 2011, as the benefit has been replaced by ESA.
- Despite the overall fall in the number of disposals for SSCS, there was also an 18% increase (when compared with April to June 2011) in disposals associated with Attendance Allowance/Disability Living Allowance.
- There were 82,300 SSCS hearing clearances (those cases disposed of at hearing) during April to June 2012, around 300 fewer than in the same quarter of 2011-12.

### **Employment Tribunals**

The employment tribunals are independent judicial bodies which determine disputes between employers and employees over employment rights.

- Between April and June 2012, Employment Tribunals received 42,000 claims in total – 12% fewer than in the same quarter of 2011-12. The number of receipts of multiple claims fell by 15% and the number of single claims went down by 5%.
- In April to June 2012, there were 25,500 disposals made by Employment Tribunals - a 4% fall on the number for the same quarter of 2011-12. The number of single disposed cases decreased by 3% and those for multiple cases went down by 4%.

### **Immigration and Asylum**

All references to Immigration and Asylum refer to the First-tier Tribunal (Immigration and Asylum Chamber). It is an independent Tribunal dealing with appeals against decisions made by the Home Secretary and her officials in immigration, asylum and nationality matters.

- Compared with the same quarter of 2011-12, there was a fall of 5% in the overall number of Immigration and Asylum receipts, to 25,500. This fall was not apparent for all case types, with an increase of 7% in the number of receipts of Entry Clearance appeals.
- The number of Immigration and Asylum disposals was 22,500 between April and June 2012, 33% fewer than in the same quarter of 2011-12.

## Introduction

This report presents information on Tribunals activity for 1 April to 30 June 2012. Information for the same quarter of earlier years is also presented.

Quarterly Official Statistics for Tribunals, for all four quarters of 2010-11 (April 2010 to March 2011) and 2011-12 have been published and are available at [www.justice.gov.uk/statistics/tribunals/quarterly](http://www.justice.gov.uk/statistics/tribunals/quarterly).

Annual Official Statistics for Tribunals for 2011-12 have been published. The report for this and previous years is available at: [www.justice.gov.uk/statistics/tribunals/annual-stats](http://www.justice.gov.uk/statistics/tribunals/annual-stats)

Statistics for Employment Tribunals and Employment Appeal Tribunal activity for 2011-12 were published on 20 September 2012 in "Employment Tribunal and EAT statistics 2011-12". This publication is available at: [www.justice.gov.uk/statistics/tribunals/employment-tribunal-and-eat-statistics-gb](http://www.justice.gov.uk/statistics/tribunals/employment-tribunal-and-eat-statistics-gb)

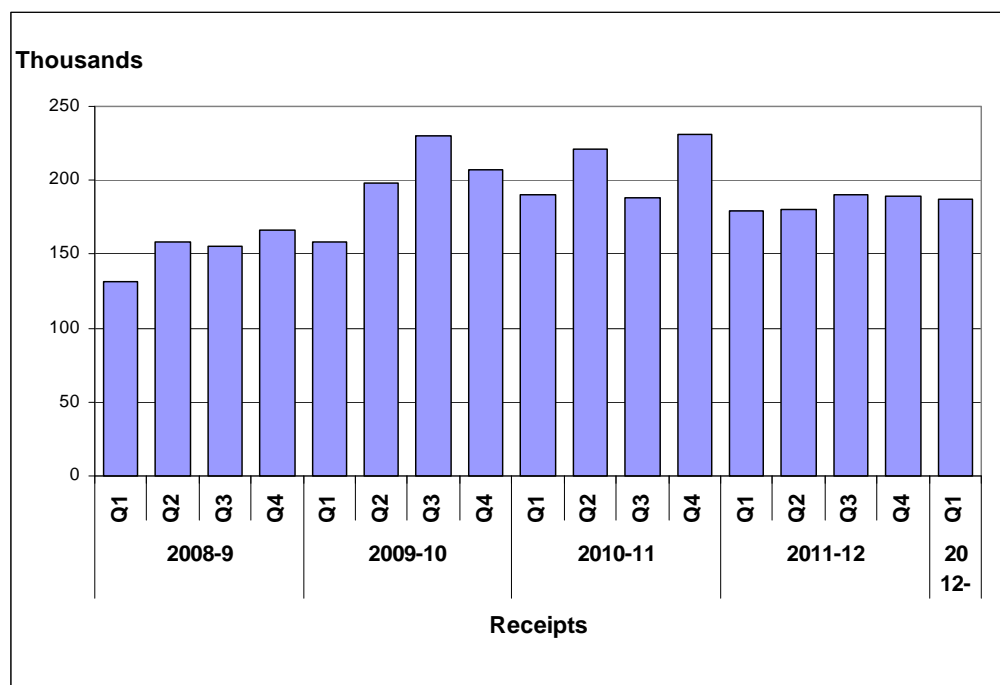
Statistics on the work of the civil, family, magistrates' and Crown Courts in England and Wales during the period April to June 2012 are also published by the MoJ at the same time as this report. These quarterly courts statistics, along with annual statistics, can be found in separate reports on the MoJ website, at: [www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly](http://www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly)

## Commentary

### Receipts (Table 1.1)

1. In the period 1 April to 30 June 2012, Tribunals had 187,700 receipts. Excluding those appeals received for new Tribunals introduced since July 2011, this represents a 3% increase in the number of receipts when compared with the same period of 2011.
2. Further, excluding multiple claims to Employment Tribunals (which vary from year to year and can distort the picture on workload), there was a 7% rise in the number of receipts when compared with the same period of 2011.
3. The increase in the overall number of receipts was mainly attributable to the higher number of appeals received in Social Security and Child Support - 14% greater than in April to June 2011. However, there were decreases in the number of receipts for Immigration and Asylum of 5% (continuing a downward trend seen since 2008-09) and for Employment Tribunals of 12%.

**Figure 1: Receipts for all Tribunals, 2008-09 to 2012-13**

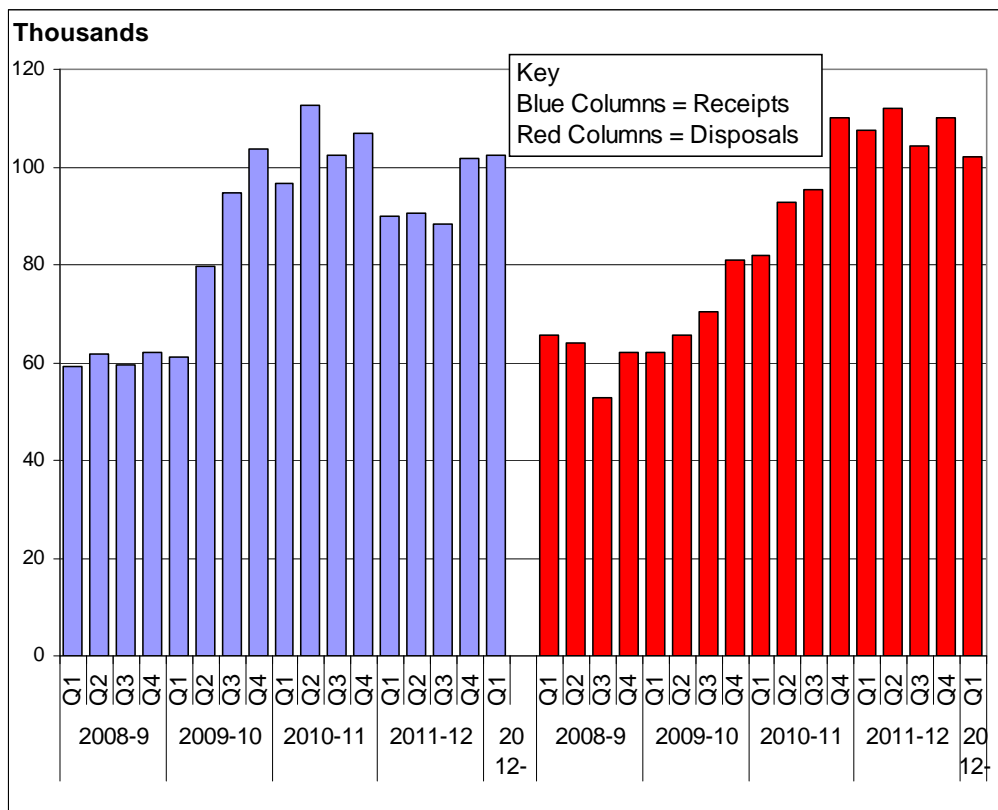


Source: Tribunals Quarterly Returns

### Receipts by Jurisdiction

4. For Social Security and Child Support, there were 102,300 receipts in the period 1 April to 30 June 2012, 14% higher than the number in the same quarter of 2011-12. This is mainly due to an increase in the number of receipts associated with Employment Support Allowance.

**Figure 2: Social Security and Child Support Receipts and Disposals, 2008-09 to 2012-13**



Source: Tribunals Quarterly Returns

5. Of the 102,300 appeals received by SSCS, 59% related to Employment and Support Allowance (ESA) - the highest proportion to date; 18% were for Attendance Allowance and Disability Living Allowance and 11% for Job Seeker's Allowance. The number of receipts for ESA cases went up by 40% between April to June 2011 and April to June 2012, to reach 60,200. This is because both Atos and DWP are processing cases at a faster rate than they had previously been able to, as a result of increased resources.

6. There was a corresponding decrease in the number of receipts associated with Incapacity Benefit (IB), as no new claims have been accepted since February 2011, with the benefit being replaced by ESA. In April to June 2012 there were 220 receipts for IB as compared with 3,600 in the same period of 2011.



7. Comparing those appeals received in April to June 2012 with the same period of last year, there were falls of 40% for those associated with Industrial Injuries Disablement Benefit; 32% for Child Benefit Lone Parent; and 10% (or 1,300) for Job Seeker's Allowance. Besides ESA, there were increases for a number of benefits, some of which attract small numbers: for Housing/Council Tax of 5%; Social Fund of 5%; Income Support of 7% and Pensions Credit of 16%.

8. In Employment Tribunals (ET), the number of claims received in April to June 2012 was 42,000 – 12% fewer than in the same period of 2011. The bulk of this fall was due to lesser number of multiple claims accepted (fall of 15%), whilst the number of single claims accepted went down by 5%. The multiple claims were grouped into 1,900 cases, or 'multiple claim cases'<sup>2</sup>.

9. For ET, when the jurisdictional<sup>3</sup> mix of claims was considered (Table 1.1a), there were 74,500 jurisdictional complaints received in the first quarter of 2012-13, a 7% fall on the number received in the same quarter of 2011-12. This means that on average, there were 1.8 jurisdictional complaints per case (or more than 2 if Working Time Regulations claims are excluded).

10. Of the 74,500 jurisdictional complaints received in April to June 2012, 31% were for unfair dismissal, redundancy and breach of contract; 30% were for Working Time Regulations and 15% for unauthorised deductions (Wages Act).

11. When comparing the number of jurisdictional complaints received in April to June 2012, with those in the same period of the previous year, there was an increase of 81% in Part Time Workers Regulations and of 73% in the ET jurisdiction of Sex Discrimination. There were falls in the numbers of complaints accepted for Transfer of an undertaking - failure to inform and consent of 59%; Age Discrimination of 23%; Working Time Regulations of 18% (the number of jurisdictional complaints for this jurisdiction are affected by the number of airline claims that are re-submitted) and Equal Pay of 16%.

12. In the period April to June 2012, there were 25,500 receipts on Immigration and Asylum, a fall of 5% when compared with the same period of 2011. This fall was not apparent for all case types. There was an increase of 7% in receipts for Entry Clearance. However, there were falls in receipts for Asylum, Managed Migration and Family Visit Visa of 26%, 9% and 1% respectively.

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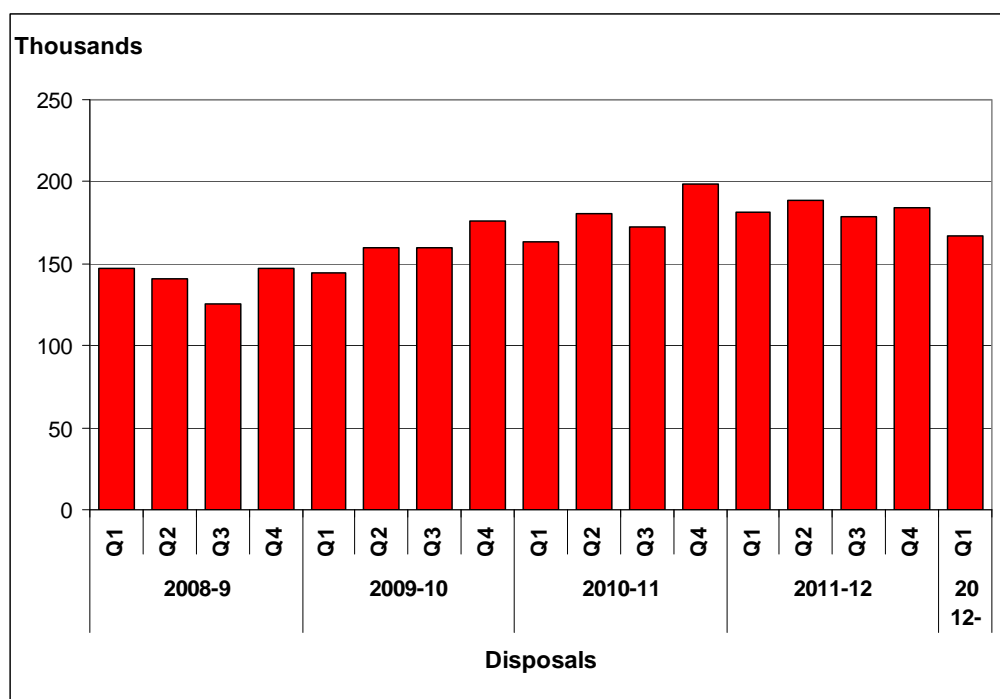
<sup>2</sup> The number of grouped collective disputes being litigated before Employment Tribunals.

<sup>3</sup> A claim can contain a number of grounds, known as jurisdictional complaints. In any hearing, the tribunal has to decide upon the merits of the claim made under each jurisdiction.

### Disposals (Table 1.2)

13. There were a total of 166,700 cases or claims disposed of in April to June 2012. Excluding details for new tribunals introduced since July 2011, this represents a fall of 8% on those cases disposed of in April to June 2011. This is a reversal of the past upward trend.

**Figure 3: Disposals for all Tribunals, 2008-09 to 2012-13**



Source: Tribunals Quarterly Returns

14. The fall in the overall number of disposals was seen in many tribunals: Immigration and Asylum (fall of 33% and continuing the downward trend) and Employment Tribunals (went down by 4%). For the first time since the April to June quarter of 2009-10, the number of disposals in Social Security and Child Support fell, from 107,500 in the first quarter of 2011-12 to 102,000 in the same quarter of 2012-13 (down by 5%). For SSCS, this was in part because receipts in January to March 2012 were lower than in the same quarter of 2011. It was also a result of constraints on medical member capacity, a rise in the proportion of appeals going to a full oral hearing and a fall in the clearance rate from previous highs in 2011-12.

15. There were also decreases for other tribunals such as Special Educational Needs and Disability (down by 10%).

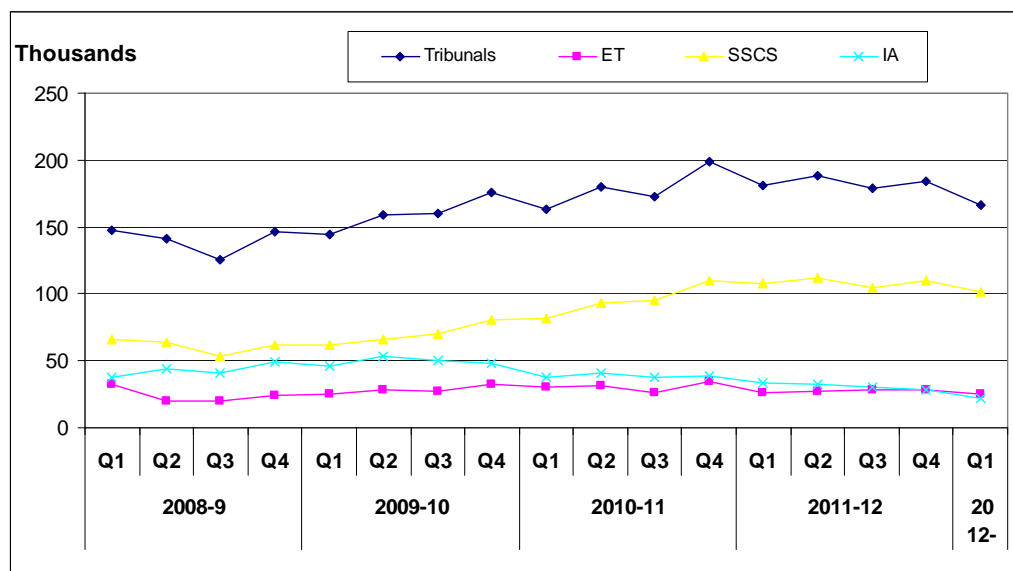
16. Between April to June 2011 and the same period of 2012, the number of disposals for some tribunals rose. For example, there was a 40% increase in the number of disposals for Tax First Tier (continuing recent rises) and by 33%

for Upper Tribunals (Administrative Appeals Chamber). The latter is probably related to the increase in SSCS receipts and those going onward for appeal.

### Disposals by Jurisdiction

17. SSCS disposed of 102,000 cases in April to June 2012, representing a 5% fall on the number disposed of in the same quarter of 2011. As can be seen from Figure 4, this is a reversal of the past upward trend in disposals.

**Figure 4: Disposals by Tribunal, 2008-09 to 2012-13**



Source: Tribunals Quarterly Returns

18. Of the 102,000 SSCS cases disposed of: more than half (51%) were for Employment and Support Allowance (ESA); 24% for Attendance Allowance and Disability Living Allowance (AA/DLA) and 11% for Job Seeker's Allowance.

19. Since the introduction of Employment and Support Allowance, to replace Incapacity Benefit (IB) in October 2008, both the number and proportion of all SSCS disposals associated with ESA have increased. Between April to June 2011, and the same period of 2012, the number of ESA disposals rose by 2%. Correspondingly, the number of IB disposals fell by 93% or 8,000 over the same period. The fall in disposals of IB claims reflects the fact that no new claims to Incapacity Benefit have been accepted since February 2011 as it has been replaced by ESA.

20. Whilst there have been falls in the number of disposals for some benefit types (e.g. Industrial Injuries Disablement Benefit of 47% and Job Seeker's Allowance of 14%), which are in line with falls in the number of receipts for these benefits, there have also been some increases. The number of

disposals for AA/DLA benefits rose by 18%; those for Social Fund by 23%; and those for Pensions Credit by 39%.

21. Table 1.2d provides some information on the outcome of Social Security and Child Support cases that were cleared at hearing<sup>4</sup> and whether the decision was found in favour of the appellant, or if the original decision made by DWP was upheld. Between 1 April and 30 June 2012, there were 82,300 cases cleared at a hearing – around 300 less than the number in the same quarter of 2011-12. Of these, 37% were found in favour of the appellant. This proportion varied by benefit type with 50% of Severe Disablement Benefit/Allowance; 44% of Incapacity Benefit; 42% of ESA; 41% of AA/DLA; and 12% of Maternity Benefit/ Allowances hearing clearances being found in favour of the appellant.

22. Employment Tribunals disposed of 25,500 claims during the first quarter of 2012-13, 4% fewer than in the same period of 2011-12. The fall was apparent for both single (3%) and multiple claims (4%).

23. Table 1.2a gives details of ET Jurisdictional complaints disposed of by type of jurisdiction and outcome. Between 1 April and 30 June 2012, 53,200 jurisdictional claims were disposed of (a 3% fall on the 55,000 disposed of in the same period of the previous year). This means that on average, 2.1 jurisdictions were disposed of per claim.

24. There were falls in the number of disposals for some Jurisdictional Complaints, most notably: Age Discrimination (down by 42%) and Sex Discrimination (down by 44%). There were increases in disposed Jurisdictional Complaints for: Working Time Regulations (of 26%) and Other Jurisdictions such as Failure to provide a written statement of terms and conditions (of 20%).

25. Of the 53,200 jurisdictional complaints that were disposed of:

- 40% were unfair dismissal, breach of contract or redundancy;
- 15% were associated with unauthorised deductions (Wages Act).

26. Of the total jurisdictions disposed of during April to June 2012:

- 32% were Acas Conciliated; 29% were withdrawn; 14% were successful at hearing and 8% were struck out (not at a hearing).

27. Overall, in Immigration and Asylum, there were 22,500 disposals in April to June 2012 – 33% fewer than in the same quarter of 2011-12, and continuing the downward trend.

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<sup>4</sup> These were cleared via a Tribunal (could be a panel or a member of the Judiciary sitting alone) with a decision/outcome.

28. Comparing April to June of 2012 with the same period of 2011, and examining case type (Table 1.2b), there was falls in the number of disposals of: 40% for Entry Clearance; 33% for Managed Migration; 32% for Family Visit Visa and 19% for Asylum cases.

29. Table 1.2e gives outcomes for those Immigration and Asylum cases that have been disposed of. Of the 22,500 cases that were disposed of between 1 April and 30 June 2012:

- 10,900 (49%) were dismissed;
- 7,800 (35%) were allowed;
- 3,700 (16%) were withdrawn.

### **Caseload Outstanding (Table 1.3)**

30. At 30 June 2012, the caseload outstanding was 775,600, an increase of 3% on the number at 31 March 2012.

31. 68% of the outstanding caseload at the end of the quarter related to 'multiple' claims in Employment Tribunals. Multiple claims are often legally and factually complex and it is common for action on such claims to be deferred (or 'stayed'), for example pending the outcome of proceedings in appellate courts/tribunals on case management or other interim matters. This means that such claims are not yet ready to have a final Hearing in the employment tribunal, and so the claim cannot be progressed to disposal.

32. Compared with 31 March 2012, the caseload outstanding has risen overall and for a number of tribunals, specifically for:

- Immigration and Asylum (up by 16% and reversing the past downward trend);
- ET multiple claims (increase of 9,700 or 2%);
- Social Security (up by 3% and reversing the past downward trend);
- Mental Health (rise of 7%);
- First Tier Tax<sup>5</sup> (increase of 3%).

33. There were falls in caseload outstanding for some tribunals: of 3% for single ET claims and of 13% for War Pensions and Armed Forces Compensation.

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<sup>5</sup> Includes an estimated 17,800 cases that cannot be heard pending a decision of a higher authority

## **Performance (Table 1.4)**

34. The MoJ's Corporate Strategy for 2011-2015 set out how it intended to transform itself and the justice system over the next four years. A commitment was made in the HMCTS Business Plan for 2011-2015 to publish information about the operation of courts and tribunals to assist users to assess the efficiency and effectiveness of public services. Impact indicators were suggested for the four largest tribunals – Social Security and Child Support, Employment Tribunals, Immigration and Asylum and Mental Health.

35. The measures examine the process from receipt to the point at which the appellant is notified of the outcome of the hearing (or when they are notified of a settlement, withdrawal or strike out) and are thus on a different basis to the former Primary Performance Indicators.

36. HMCTS previously had a set of Primary Performance Indicators for each jurisdiction, which were largely based upon waiting times from receipt to disposal. From April 2011, these are no longer performance indicators but statistics continue to be published in Table 1.4. of this report so that users are able to compare these particular aspects of timeliness over time.

37. When examining the measures, a number of points should be noted:

- The clearance times (expressed in weeks or years) are highly dependent upon the processes that take place within a Tribunal and the type and complexity of a case. In some cases, a judgement is awaited from another body (for example European Courts), stayed or be legally complex.
- The measures can not be directly compared between one Tribunal and another because of the different processes. Thus, it is better to compare a specific Tribunal over time.

38. The tables and charts shows the age at which cases were cleared. There are differences by case or tribunal type, thus, clearances have been presented for a number of tribunals by case type. The measures examine the age of a case when it is cleared or disposed of and gives the point at which 25%, 50% (the median) and 75% were cleared. Where available, information is given for two time periods – cases cleared in April to June of 2011 and April to June of 2012.

## **Immigration and Asylum**

39. For those cases disposed of between April and June 2012, the cumulative percentages of cases are shown by the age of the case. The time is recorded from receipt to the time that a decision was notified to the appellant.

40. Of those cases disposed of in Immigration and Asylum between April 2012 and June 2012:

- 25% were aged 10 weeks or less (i.e. 25% were cleared in 10 weeks or less).
- 50% (the median) were aged 16 weeks or less.
- 75% were aged 23 weeks or less.

41. Variations in clearance times between case types are due to different processing timescales which apply to each of the Immigration and Asylum jurisdictions.

**Table 1: Cumulative percentage of Immigration and Asylum clearances that took place in April to June of 2011 and 2012, by age of case at clearance**

<b>Tribunal</b>	<b>25% point</b>	<b>50% point</b>	<b>75% point</b>
<b>Immigration and Asylum (all)</b>			
<b>1 April - 30 June 2011</b>	8 weeks or less	14 weeks or less	24 weeks or less
<b>1 April - 30 June 2012</b>	10 weeks or less	16 weeks or less	23 weeks or less
<b>Asylum</b>			
1 April - 30 June 2011	5 weeks or less	6 weeks or less	9 weeks or less
1 April - 30 June 2012	5 weeks or less	6 weeks or less	9 weeks or less
<b>Managed Migration</b>			
1 April - 30 June 2011	7 weeks or less	8 weeks or less	10 weeks or less
1 April - 30 June 2012	9 weeks or less	10 weeks or less	13 weeks or less
<b>Entry Clearance Officer</b>			
1 April - 30 June 2011	19 weeks or less	24 weeks or less	30 weeks or less
1 April - 30 June 2012	19 weeks or less	25 weeks or less	31 weeks or less
<b>Family Visit Visa</b>			
1 April - 30 June 2011	12 weeks or less	21 weeks or less	25 weeks or less
1 April - 30 June 2012	16 weeks or less	21 or less	24 or less



## Employment Tribunals

42. For Employment Tribunals, the timescale recorded is from receipt to when details of the final judgement are given or the case is otherwise disposed of. The distribution for all ET cases is heavily influenced by the age of multiple cases (which can be stayed or await decisions from Higher Courts).

**Table 2: Cumulative percentage of Employment Tribunals clearances that took place in April to June of 2011 and 2012, by age of case at clearance**

Tribunal	25% point	50% point	75% point
<b>Employment Tribunals (all)</b>			
1 April – 30 June 2011	16 weeks or less	34 weeks or less	1-2 years
1 April – 30 June 2012	16 weeks or less	31 weeks or less	1-2 years
Single			
1 April – 30 June 2011	11 weeks or less	20 weeks or less	34 weeks or less
1 April - 30 June 2012	12 weeks or less	19 weeks or less	31 weeks or less
Multiple			
1 April - 30 June 2011	38 weeks or less	1-2 years	3-4 years
1 April - 30 June 2012	32 weeks or less	1-2 years	3-4 years

43. Clearances for Employment Tribunals were also examined by broad jurisdictional group. The results showed that groupings such as Working Time Directive; National Minimum Wage; Unfair Dismissal/Breach of Contract had shorter waiting times than other categories.

**Table 3: Cumulative percentage of ET clearances (for jurisdictional groups) that took place in April to June 2012, by age of case at clearance**

ET Jurisdictional Group	25% point	50% point	75% point
Equal Pay	1-2 years	3-4 years	4-5 years
Disability Discrimination	20 weeks or less	32 weeks or less	50 weeks or less
Race or Sexual Discrimination	26 weeks or less	52 weeks or less	2-3 years
Religious Belief, Sexual Preference	19 weeks or less	30 weeks or less	49 weeks or less
Age Discrimination	18 weeks or less	28 weeks or less	47 weeks or less
Working Time Regulations	13 weeks or less	26 weeks or less	1-2 years
Unfair dismissal, redundancy, insolvency	15 weeks or less	24 weeks or less	39 weeks or less
National Minimum Wage	13 weeks or less	22 weeks or less	40 weeks or less
Unauthorised Deductions (Wages Act)	12 weeks or less	23 weeks or less	52 weeks or less
Others	18 weeks or less	38 weeks or less	51 weeks or less

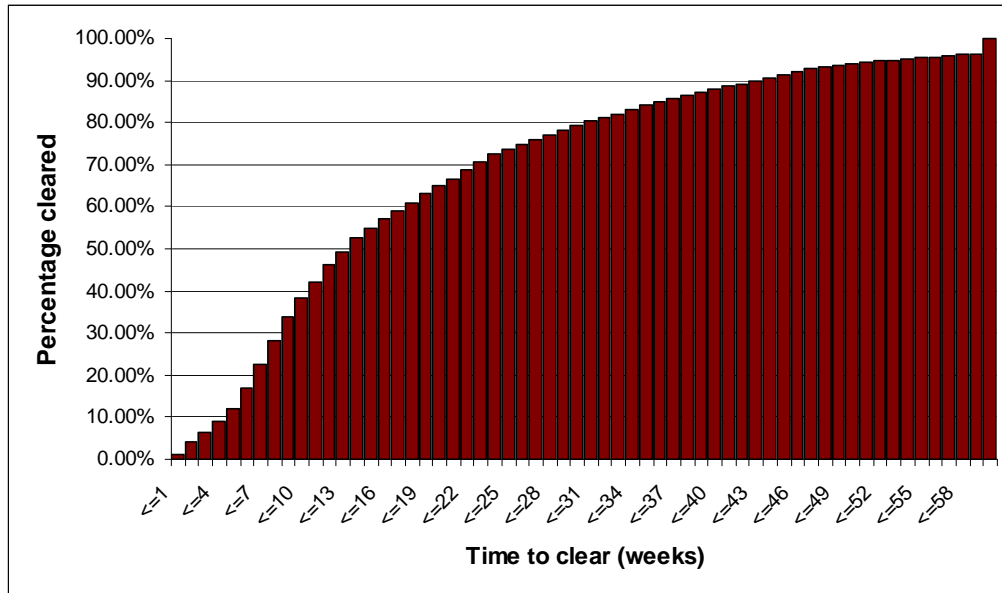
### **Social Security and Child Support**

44. For those cases disposed of in April to June 2012, the cumulative percentage of cases is shown by the age of the case. For SSCS the time is recorded from receipt to the time that a decision was notified to the appellant.

Of those cases disposed of by SSCS between April and June 2012:

- 25% were aged 8 weeks or less (i.e. 25% were cleared in 8 weeks or less).
- 50% (the median) were aged 14 weeks or less.
- 75% were aged 26 weeks or less.

**Figure 5: Cumulative Percentage of Clearance Times from April 2011 to March 2012, by age of case, SCS**



Source: Tribunals quarterly returns

45. SCS hears appeals against decisions made by DWP on a number of different benefits. The composition of the Tribunal panel varies for each benefit and there are some differences in length of clearance time for each type of appeal. Those appeals which can be heard by a Judge sitting alone, such as appeals against decisions on Job Seekers' Allowance, Housing Benefit or Council Tax Relief take less time to clear than appeals where a panel including specialist Medical, Financial or Disability panel members is required.

46. From table 4, it looks as though the waiting time, from receipt to disposal of SCS cases has gone down. This could be related to the policy of dealing with older cases first and thus reducing the number of older cases.

**Table 4: Cumulative percentage of SCS clearances that took place in April to June of 2011 and 2012, by age of case at clearance**

<b>Tribunal Type</b>	<b>25% point</b>	<b>50% point</b>	<b>75% point</b>
<b>SSCS (all)</b>			
<b>1 April – 30 June 2011</b>	9 weeks or less	21 weeks or less	34 weeks or less
<b>1 April – 30 June 2012</b>	8 weeks or less	14 weeks or less	26 weeks or less
<b>Tribunal Types: (data for 1 April - 30 June 2012)</b>			
Judge (Job Seekers' Allowance, Housing Benefit, Council Tax Relief, Child Support, ESA/IB cases with no medical element)	6 weeks or less	9 weeks or less	22 weeks or less
Judge, Medical Member and/or Specialist Disability Member (Disability Living Allowance/ Attendance Allowance)	9 weeks or less	18 weeks or less	32 weeks or less
Judge and Medical Member (ESA/IB)	9 weeks or less	14 weeks or less	25 weeks or less
Judge and Senior Medical Member (Industrial Injury/Disablement Benefit, Vaccine Damage)	9 weeks or less	15 weeks or less	38 weeks or less

### **Mental Health**

46. For the Mental Health jurisdiction, the time from receipt to disposal has been examined for the three main case types. Unfortunately, the reporting system is not able to produce analysis by single week of age, thus there is some inaccuracy regarding the median and lower and upper quartiles.

47. Given the statutory requirement for Section 2 cases to be listed within 7 days of receipt, it is not surprising that this type of case has the shortest clearance times. The waiting times have reduced when compared with previous periods due to improvements made in administrative processes.

**Table 5: Cumulative percentage of Mental Health clearances that took place in April to June of 2011 and 2012, by age of case at clearance**

<b>Tribunal</b>	<b>25% point</b>	<b>50% point</b>	<b>75% point</b>
Mental Health - Section 2			
1 April - 30 June 2011	Less than a week	Between 1 and 2 weeks	Between 2 and 3 weeks
1 April - 30 June 2012	Less than a week	Less than a week	Between 1 and 2 weeks
Mental Health – Restricted Patients			
1 April – 30 June 2011	More than 9 but less than 15 weeks	More than 9 but less than 15 weeks	Between 16 and 17 weeks
1 April - 30 June 2012	More than 9 but less than 15 weeks	More than 9 but less than 15 weeks	Between 15 and 16 weeks
Mental Health – Non Restricted Patients			
1 April - 30 June 2011	Less than 4 weeks	Between 8 and 9 weeks	More than 9 but less than 12 weeks
1 April - 30 June 2012	More than 3 weeks but less than 7 weeks	Between 8 and 9 weeks	More than 9 but less than 12 weeks

## Annex 1 – Court Statistics Quarterly

Her Majesty's Courts and Tribunals Service (HMCTS) was created on 1 April 2011. It is an agency of the MoJ and is responsible for the administration of the criminal, civil and family courts and tribunals in England and Wales and non-devolved tribunals in Scotland and Northern Ireland.

Statistics on the work of the civil, family, magistrates' and Crown Courts in England and Wales during the period April to June 2012 are also published by the MoJ at the same time as this report. These quarterly courts statistics, along with annual statistics, can be found in separate reports on the MoJ website, at: [www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly](http://www.justice.gov.uk/statistics/courts-and-sentencing/judicial-quarterly)

This executive summary page provides high-level findings for the courts and tribunals which are administered by HMCTS during the quarter April to June 2012.

There were **337,861 civil (non-family) claims and petitions** issued during April to June of 2012, seven per cent fewer than in the same quarter of 2011. This continues the general downward trend from the peak in 2006 (545,885 claims on average per quarter) which is mainly due to decreases among specified money (typically debt related) claims, claims for the recovery of land, and insolvency petitions.

In the family courts, there were **7,032 children involved in public law** applications made in the quarter April to June of 2012, a 1 per cent decrease on the same period of the previous year, and **24,204 children involved in private law applications**, a 14 per cent increase.

There were **405,621 criminal proceedings completed in magistrates' courts** during April to June of 2012, around four per cent less than in the same period of 2010. This continues the general downward trend observed since 2008, which is mainly due to decreasing volumes of summary motoring and indictable proceedings.

A total of **31,933 cases were received in the Crown Court** in the quarter April to June of 2012, an eleven per cent decrease on the number received in the corresponding quarter of 2011 and continues the downward trend. Of trials heard in the Crown Court, defendants pleading not guilty wait longer in the Crown Court compared with those defendants who plead guilty. The average time a defendant waits in the Crown Court for substantive hearing was 25 weeks (175 days) when a defendant entered a not guilty plea compared to 12 weeks (85 days) for defendants where a guilty plea was entered.

## **Explanatory Notes**

### **Cases not on Employment Tribunals IT System**

Multiple Airline cases for the Employment Tribunals jurisdiction of Working Time Directive (Annual Leave) are resubmitted every three months and are included in the counts of receipts and caseload outstanding. During 2011-12, 27,269 claims (12,915 for Quarter 3 and 14,354 for Quarter 4) for this jurisdiction were not input to the Employment Tribunals IT system, but have been recorded within the overall number of receipts, received jurisdictional complaints and caseload outstanding figures for 2011-12.

## Data quality and sources

Information presented in this report is management information drawn from a number of administrative sources. Although care is taken when processing and analysing the data, the details are subject to inaccuracies inherent in any large-scale recording system and it is the best data that is available at the time of publication. HMCTS is examining the quality of management information. Thus, it is possible that some revisions may be issued.

The statistics are based on case management systems where a number of processes are recorded throughout the life of an appeal. In some instances, a case can re-enter the process or have a number of outcomes, meaning that there is not necessarily one receipt or one disposal per case. The quality of management information is being examined. Thus, care should be taken when comparing receipts and disposals.

### Revisions

Some statistics were correct at the time of publication but have been revised following data quality checks or reconciliation. These values have been marked as 'r'.

### Change of Names of Tribunals

A number of Tribunals became part of the former Tribunals Service since it was formed, or have changed their name. Details of these changes are given in the table below.

<b>Tribunal or Jurisdictional Name</b>	<b>Formerly known as:</b>	<b>Details of Changes</b>
Agricultural Lands Tribunals		Joined HMCTS on 31 October 2011
Alternative Business Structure		Created on 3 October 2011
Asylum Support (AS)	Asylum Support Tribunal	Transferred to HMCTS (former Tribunals Service) from the Home Office on 1 April 2007
Care Standards (CS)	Care Standards Tribunal	Transferred to HMCTS (former Tribunals Service) from the Department of Health on 1 April 2007



Charity	Charity Tribunal	Created March 2008
Consumer Credit	Consumer Credit Tribunal	Created April 2008
Environment		Came into force on 6 April 2010
Estate Agents	Estate Agent Appeals Tribunal	Transferred to HMCTS from the former Department for Business Enterprise and Regulatory Reform, now the Department for Business, Innovation and Skills (BIS), on 1 <sup>st</sup> April 2008
Immigration Services	Immigration Services Tribunal	The Immigration Services Tribunal transferred into the General Regulatory Chamber of the First-tier Tribunal in January 2010
Gangmasters Licensing Appeals		Created on 19 September 2011
First-tier Tribunal (Immigration and Asylum Chamber)  & Upper Tribunal (Immigration and Asylum Chamber)	Asylum and Immigration Tribunal	The 'First-tier Tribunal (Immigration and Asylum Chamber)' and 'Upper Tribunal (Immigration and Asylum Chamber)' (FTTIAC and UTIAC), replaced the Asylum and Immigration Tribunal (AIT) on 15 February 2010.
Local Government Standards in England	Adjudication Panel for England	Transferred to the HMCTS from the Standards Board for England (SBE) on 1st April 2009
Primary Health Lists	FHSAA	Family Health Services Appeal Authority transferred into HMCTS in April 2009
Reserve Forces Appeal Tribunals		Transferred to the HMCTS from the Ministry of Defence in April 2009

Residential Property Tribunal	Residential Property Tribunals Service	Joined HMCTS on 31 July 2011
First-tier Tax Chamber	Special Commissioners (Income Tax)  VAT & Duties Tribunal  General Commissioners of Income Tax	Established on 1 April 2009 as part of Tribunals, Courts and Enforcement ACT 2007 (TCE). Now includes all appeals against tax decisions formerly heard by three separate tax tribunals.
Upper Tribunal (Administrative Appeals Chamber)	Office of Social Security and Child Support Commissioners	The Upper Tribunal (AAC) was established in November 2008 under the TCE Act 2007, replacing OSSCSC. Information presented for 2007-08 refers to OSSCSC, and for November 2008 onwards to the Upper Tribunal Admin Appeals Chamber
Upper Tribunal (Tax and Chancery)		Management information recorded from 1 April 2012 onwards and included in Official Statistics.
War Pensions and Armed Forces Compensation Chamber	Pensions Appeal Tribunal	PAT became the War Pensions and Armed Forces Chamber in Nov 2008

## Definitions

**Receipt** – A term covering the acceptance of a case by a HMCTS Tribunal.

**Disposal** – A disposal is the closure of a case when work has ceased to be done. This can be through a claim being withdrawn, settled, dismissed or being decided at a hearing.

**Hearing clearance (SSCS)** – these are cleared via a Tribunal (could be a panel or member of the Judiciary sitting alone) with a decision/outcome.

**Non-hearing clearance (SSCS)** – these are cases withdrawn prior to a hearing, struck out or superseded. There is no Tribunal judgement.

**Caseload outstanding** – The number of cases outstanding at the end of the period and still waiting to be dealt with to completion.

**ET Claim** – A claim presented to an employment tribunal by a claimant. It may be brought under one or more jurisdictions or subsequently amended or clarified in the course of proceedings, but will be counted only once.

**ET Single and Multiple Claims** – Claims to an employment tribunal may be classified into two broad categories – singles and multiples. Multiples are where two or more people bring claims, involving one or more jurisdiction(s) usually against a single employer but not necessarily so, for instance in TUPE cases, and always arising out of the same or very similar circumstances. As a multiple, the component claims are processed administratively, and managed and heard judicially together.

**ET Multiple Claim Cases** - the number of combined groupings or actions formed by component multiple claims. This will essentially equate to the number of grouped collective actions being litigated before the employment tribunals.

**ET Jurisdiction** – The employment tribunal powers to hear complaints are determined by legislation, with statutory provisions defining the ambit of the jurisdiction that can be covered by a claim to an employment tribunal.

**ET Jurisdictional mix** – A claim may contain a number of grounds, known as jurisdictional complaints. When deciding any claim, the tribunal has to make determinations under each jurisdiction, e.g. unfair dismissal and sex discrimination. The number of jurisdictional complaints within a claim can affect the true workload represented by that claim: the higher the ratio of complaints to a claim, the more complicated the work will generally be. The jurisdictions covered by ET are wide ranging, from discrimination and unfair dismissals to issues around salary and working conditions.

**IA Case types:**

**Asylum** – appeals against a refusal to grant asylum, including asylum claims which raise Human Rights grounds.

**Managed Migration** – appeals generated by people already in the UK who have been refused permission to extend their stay here (either permanently or temporarily). This appeal type will also cover occasions where an individual has their permission to be in the UK revoked.

**Family Visit Visa (FVV)** – appeals against decisions not to allow temporary visits to see family in the UK.

**Entry Clearance Officer (ECO)** – appeals generated by people who are not already in the UK, but have been refused permission to enter or stay in the UK for a fixed period of time, or live here permanently.

**Deport Appeals** – appeals against deportation orders made against people by the Home Secretary, introduced by section 32 of the UK Borders Act 2007. Other appeals with a deport element are included in the Asylum and Managed Migration case categories.

**Human Rights Appeals** – This appeal category is now defunct and appeals raising Human Rights grounds are recorded more accurately under different categories.

**Hearing** – The hearing is a meeting at which the tribunal panel considers evidence (either orally or paper based) and reaches a decision (where the decision may be to adjourn or to agree a final outcome). If the hearing is adjourned and restarted, it counts as one hearing.

Examples of hearings include:

- Paper hearings;
- Oral hearings;
- Case Management Discussions;
- Decision on Eligibility.

**Oral Hearing** – A hearing where the party (ies) and/or their representative(s) attend (this can be by telephone or by video conference).

**Paper Hearing** – Consideration of the case using documents, and not requiring any physical appearance by the parties.

**Decision in favour (SSCS)** – Decision in favour of the appellant.

**Decision upheld (SSCS)** – Decision made by the First Tier Agency and withheld by the Tribunal.

**Withdrawal** – The applicant/claimant/appellant ceases action either before or at the hearing.

**Conceded (SEND)** – The local authority defending the appeal agree to provide what is requested without the need for an oral hearing. This is only permitted on some appeal types. On others the parents have to formally withdraw their appeal.

**Settlement** – Cases settled without the need for a hearing. A third party may have been involved in the process.

**Postponement** – Where a case is taken out of the list, **prior to** the commencement of the hearing – can be done by the applicant, or any other party.

**Adjournment** – Where, on the day of the hearing, the Panel decides that, for whatever reason, the appeal/case cannot be finalised and has to put off making a final decision to another date, for example because further evidence is required.

**Outcome of hearing** – The outcome of the hearing is the final determination of the proceedings or of a particular issue in those proceedings; it may include an award of compensation, a declaration or recommendation and it may also include orders for costs, preparation time or wasted costs either in favour or against an appellant. **Note:** ET records outcomes for each act (or jurisdiction), not for the hearing.

**Caseload outstanding** – The number of cases outstanding at the end of the period and still waiting to be dealt with to completion.

## Table conventions

### Rounding

Figures in the tables are rounded independently and thus may not add to figures because of rounding. The following conventions have been used throughout:

- Values less than 100 remain as unit values.
- Values from 100 to 999 are rounded to the nearest 10.
- Values of 1,000 and over are rounded to the nearest hundred.

### Notation

The following symbols have been used throughout the tables in this bulletin:

.	= Not applicable
..	= Not available
-	= Small Value
~	= No cases dealt with so rate could not be calculated
0	= Nil
(r)	= Revised data
(p)	= Provisional data

### Contact points for further information

Spreadsheet files of the tables and graphs contained in this document are also available for download from this address.

Press enquiries should be directed to the Ministry of Justice press office:

Email: [press.office@justice.gsi.gov.uk](mailto:press.office@justice.gsi.gov.uk)

Other enquiries about these statistics should be directed to:

**Ministry of Justice**

Judicial Statistics Analytical Services

7<sup>th</sup> Floor

102 Petty France

London SW1H 9AJ

Email: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk).

General enquiries about the statistical work of the Ministry of Justice can be e-mailed to: [statistics.enquiries@justice.gsi.gov.uk](mailto:statistics.enquiries@justice.gsi.gov.uk)

General information about the official statistics system of the UK is available from [www.statistics.gov.uk](http://www.statistics.gov.uk)